

REMARKS

Applicant notes with appreciation that claims 4, 5, and 7 have been indicated allowable if rewritten to include the limitations of their base claim and any intervening claims.

The remaining claims were rejected under the judicially created doctrine of obviousness type double patenting. Specifically, claims 2, 3, 6, and 8-11 were rejected as being unpatentable over US Patent No. 6,060,327, and claims 2, 3, and 9-11 were rejected as being unpatentable over US Patent No. 6,699,667.

To expedite prosecution Applicant submits two terminal disclaimers, one for US Patent No. 6,060,327 and the other for US Patent No. 6,699,667. As noted in the Action, a timely filed terminal disclaimer may be used to overcome a rejection based on non-statutory double patenting. Hence, it is respectfully submitted that all pending claims are now patentable over the cited patents.

CONCLUSION

Should the Examiner believe that a telephone conference would expedite the prosecution of this application, the undersigned can be reached at the telephone number set out below.

Respectfully submitted,
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